

**REMARKS**

Claims 1 and 3-57 are pending in this application. By this Amendment, claims 1, 21, 39, 40, 42, 43 and 45 are amended, claim 2 is cancelled and claims 56 and 57 are added. No new matter is added.

The courtesies extended to Applicant's representative by Examiners Lin and Hoang at the interview held June 15, 2009 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

Claims 1-8, 10-15, 20-25, 27-32, 37, 39, 40, 42, 43, 45-47, 49, 50, 52, 53 and 55 were rejected under 35 U.S.C. §103(a) over Filion et al., U.S. Patent No. 6,119,156, in view of Simpson et al., U.S. Patent Application Publication No. 2003/0084086. Claim 2 has been cancelled, rendering its rejection moot. The rejection with respect to the remaining claims is respectfully traversed.

Claim 1 recites that the monitoring period is defined as a time period after the operational parameters are set by the first user and the modification control system modifies the operational parameters in accordance with the request for modification made by the first user or second user if the monitoring period has expired. In rejecting cancelled claim 2, the Office Action alleges that Simpson's period of printing teaches or suggests the monitoring period of cancelled claim 2, citing Simpson at paragraph [0075]. As agreed during the personal interview, the above referenced monitoring period is different from the processing time recited in Simpson's paragraph [0075]. Thus, Simpson fails to teach or suggest the above referenced features of claim 1. The Office Action admits that Filion fails to disclose a monitoring period.

Claims 39, 42 and 45 recite features similar to the above referenced features of claim 1. Thus, claims 39, 42 and 45 are patentable for the reasons discussed above with respect to claim 1.

Claim 21 recites a number of execution determining system that determines the number of times of operations to be executed by said printer in accordance with operational parameters, including the number of times of operations to be executed by said printer, set by a first user. As agreed during the personal interview, the combination of Filion and Simpson fails to teach or suggest the number of times of operations to be executed by said printer being set by a first user.

Claims 40 and 43 recite features similar to those discussed above with respect to claim 21. Thus, claims 40 and 43 are patentable for the reasons discussed above with respect to claim 1.

Claims 3-8, 10-15, 20, 22-25, 27-32, 37, 46, 47, 49, 50, 52, 53 and 55 are patentable by reason of their dependency from one of independent claims 1, 21, 39, 40, 42, 43 and 45, as well as for the additional features they recite.

It is respectfully requested that the rejection be withdrawn.

Claims 16-19 and 33-36 were rejected under 35 U.S.C. §103(a) over Filion in view of Simpson and Official Notice. The rejection is respectfully traversed.

The rejection of claims 16-19 and 33-36 is premised upon the combination of Filion and Simpson teaching or suggesting all of the features of independent claims 1 and 21. As discussed above, Filion and Simpson fail to teach or suggest all of the features of independent claims 1 and 21 and Official Notice fails to overcome the deficiencies of Filion and Simpson. Thus, claims 16-19 and 33-36 are patentable by reason of their dependency from one of independent claims 1 and 21, as well as for the additional features they recite.

It is respectfully requested that rejection be withdrawn.

Claims 9 and 26 were rejected under 35 U.S.C. §103(a) over Filion in view of Simpson and Nakamura et al., U.S. Patent Application Publication No. 2002/0161740. The rejection is respectfully traversed.

The rejection of claims 9 and 26 is premised upon the combination of Filion and Simpson teaching or suggesting all of the features of independent claims 1 and 21. As discussed above, Filion and Simpson fail to teach or suggest all of the features of independent claims 1 and 21 and Nakamura fails to overcome the deficiencies of Filion and Simpson. Thus, claims 9 and 26 are patentable by reason of their dependency from one of independent claims 1 and 21, as well as for the additional features they recite.

It is respectfully requested that the rejection be withdrawn.

Claims 38, 41, 48, 51 and 54 were rejected under 35 U.S.C. §103(a) over Filion in view of Simpson and Armstrong et al., U.S. Patent Application Publication No. 2004/0039779. Although not explicitly stated, Applicant presumes that claim 44 was also rejected over Filion in view of Simpson and Armstrong. The rejection is respectfully traversed.

Armstrong is directed toward real time chat over computer network. As discussed during the personal interview, Applicant respectfully asserts that the combination of Armstrong with Filion and Simpson is based upon impermissible hindsight because none of the applied references teach or suggest that real time chat could have been combined with the teachings of Filion and Simpson. Thus, Applicant asserts that the combination of Filion, Simpson and Armstrong involves impermissible hindsight using knowledge gleamed only from Applicant's disclosure. Such hindsight reconstruction of the claimed invention is improper. See MPEP §2145(X)(A).

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Petition for Extension of Time  
Amendment Transmittal

Date: June 26, 2009

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